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W. LLOYD GARRISON, Editor.

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BOSTON, FRIDAY, SEPTEMBER 29, 1865.

"Proclaim Liberty throughout all the land, to all
the inhabitants thereof."

"I lay this down as the law of nations. I say that mil-
itary authority takes, for the time, the place of all munici-
pal institutions, and SLAVERY AMONG THE REST; and that, under that state of things, so far from its being
true that the States where slavery exists have the exclusive
management of the subject, not only the PRESIDENT OF
THE UNITED STATES, but the COMMANDER OF THE ARMY,
HAS POWER TO ORDER THE UNIVERSAL EMAN-
CIPATION OF THE SLAVES. . . . From the instant
that the slaveholding States become the theatre of a war,
civic, servile, or foreign, from that instant the war powers of
CONGRESS extend to interfere with the institution of
slavery, in every way in which it can be interfered
with, from a claim of indemnity for slaves taken or de-
stroyed, to the cession of States, burdened with slavery, to
a foreign power. . . . It is a war power. I say it is a w-
power; and when your country is actually in war, whether
it be a war of invasion or a war of insurrection, Congress
has power to c-
the war, and MUST CARRY IT ON, ACCORDING TO THE LAWS OF WAR; and by the laws of war,
an invaded country has all its laws and municipal institutions
swept by the board, and MARTIAL POWER TAKES THE
PLACE OF THEM. When two hostile armies are set in martial
array, the commanders of both armies have power to em-
an-
cipate all the slaves in the invaded territory."—J. Q. ADAMS.

J. B. YERRINGTON & SON, Printers.

WHOLE NO. 1808.

Selections.

THE WORK OF RECONSTRUCTION.

Extracts from an able and uncompromising Address
delivered by Hon. William P. Cutler, at Belpre, Ohio,
July 1, 1865, on "The Duty of Citizens in the Work
of Reconstruction":—

I believe that it is the right and duty of the Gen-
eral Government to intercede directly to "establish
order" to our own citizens; to protect them from
oppression and outrage; to maintain "the Union"
which has been rescued from the grasp of the rebels
in the bravery of our soldiers, and the sacrifice
of our people.

But in order to accomplish this great practical
task, I would punish the leaders of the rebellion
by inflicting the penalty prescribed by the law for
treason—that is, death. I do not say this from re-
sponding or vindictive feelings, but because it is the
only way that rightful authority and the law
can be vindicated. It is the only way that "tre-
ason can be made odious." To waive the just pen-
alty of the law is to offer a premium in advance
for another rebellion.

Confiscation should do its appropriate work in less-
ening the power of an aristocracy, who, by their
names, have forfeited all claim to leniency. And
the landed estates thus forfeited should be brought
into the reach of those by whose unpaid toil they
have hitherto been cultivated, and who must here-
after form a considerable basis of the future popula-
tion of that portion of our country.

The active participants in the conspiracy effort,
whether the nation's life should be excluded from
its participation in its future political management,
were not for the moment and momentous pur-
pose of the nation—of saving the Union and the
whole of the country, it would be absolutely ridiculous.

It might as well take a convicted felon from the
justice and place him on the bench to ad-
minister law, as to permit traitors to exercise politi-
cal control. If the active participants in
the rebellion are still permitted to live in the land,
it is the highest act of clemency they have any
right to expect. The political power should
be held by true and faithful men, of whatever color

they may be. This brings us to the question, Shall the
Negro be allowed to vote? I say unhesitatingly,
it is his vote; and I say further, that the Federal
power ought to give him the right to vote, be-
cause of the possibility of any interference by State
authorities. It is said that hitherto the States have
had the qualifications of voters. This may be,
but we are not now dealing with States occupying
the Federal power on the basis of the Federal
power relation to the Federal power. A
more near parallel is found in the case of the
territories. In that case were found citizens
of the United States in a disorganized state, requiring
the interposition of some appropriate authority
to secure the rights of the people. This is the
same value of the most in-

terested party. The population of the
territories, however, is not yet large enough to
elect a representative. After
the representation, the same value
of the most in-

terested party. The Negro is the
same number in Mississippi and South Carolina
as in New York and North Carolina
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The Liberator.

BOSTON, FRIDAY, SEPTEMBER 29, 1865.

ALEXANDER H. STEPHENS.

government, took up arms and seized upon the property of the United States, expelled every vestige of the authority of the Union within their limits, and defied its power for four years, treating as public enemies, burning our ships upon the ocean, starving our soldiers, their prisoners, on the land, and murdering our President and the men they lost, at least by capture, their rights and powers under the Constitution and laws, although they could not by their own illegal acts rid themselves of their duties and obligations as citizens and subjects of the Government. [Applause.]

They were not less subjects because they were rebels; they were less citizens in their rights because they were traitors. As a familiar example of such forfeiture, a criminal may lose all his rights as a citizen by a conviction and sentence to the penitentiary for his crime, but he thereby escapes none of his duties or obligations to the Government whose laws he has broken. [Applause and cries of "good."] So the rebel could not fight against the Constitution for its overthrow with one hand, and raise the other in invocation for its protection of his political rights. This doctrine is recognized by President Johnson, when he proclaims that in reconstruction no unrepentant rebel has the right to vote, although a legal voter by the Constitution of his State. [Applause.]

It follows, of course, as a part of this theory, that the States, as political organizations, and their citizens, have lost their rights under the Constitution which they have repudiated, and are no longer entitled, as they are, to be represented in Congress to take part in making the laws for the government of the United States; that they ought to and must remain in the condition and character in which they have voluntarily placed themselves and have been brought by the heroic valor of our soldiers, "subdued rebels," until "works meet for repentence," by acts of loyalty and fealty to the Government, love of the flag and justice to the negro, an unequivocal, determinate and formal as their acts of secession and rebellion by which they withdrew from the Union, they show themselves fit to be members of a government which hereafter is to be conducted on the true principles of republican democracy—equality of right and justice to all—the glorious stars of our banner for our friends, its avenging stripes for our enemies—foreign and domestic. [Loud applause.]

In my judgment, the differences arising from these opposite theories of the result of the rebellion will form the dividing lines between political parties in the future. All other issues are of the dead past, and have glided away. Upon the principles and political action flowing out of the last-mentioned of these theories, all true, loyal and progressive men will unite together to carry on the government. I have said "progressive," so far as I have seen of progress. The bold mover, Gen. Henry A. Wise, the executioner of John Brown, in whose mansion, near Norfolk, I had a negro school, (laughing and applause,) in his recent letter, claiming that same house, declares himself to have been an original abolitionist. [Renewed merriment.]

Upon the other theory, that rebels retain *all their rights*, will come together all rebels, all sympathizers with rebellion, all doubtful of the strength of our institutions, all lukewarm friends of the country, and all those whose "pride of race" teaches them to fear that the negro will outstrip them in the race of life if he has a fair field and no favor. Evidences of this may be seen all around us. The late democracy of New York have just met in convention, given Horatio Seymour a back seat; forgot McClellan and Pendleton; ignored all former platforms, whether of Cincinnati or Chicago; faintly praised our soldiers; nominated republican office-holders for reelection, and endorsed the reconstruction policy of a Republican President, so far only as it recognizes the rights of power and property in the rebels.

The democracy of Maine, who were so gallantly beaten the other day, likewise resolved in convention to sustain a Republican President, so far as in accordance with the Constitution, and, complaining of the burden of public debt, declared in favor of "equalization of taxation," which seems to be but a euphemism phrase for the repudiation of governmental obligations solemnly undertaken by the Congress of the nation. One might suggest to the Democracy of Maine a more constitutional mode of lightening public burdens. That is to say, sell the confiscated lands of the \$20,000 rebels excepted by President Johnson, whose reconstruction policy they endorse, and pay the public debt, wholly incurred in whipping these rebels into submission. [Applause.]

The late Democracy of Iowa still more clearly show the inevitable tendency of political issues. They honestly and formally disband as a Democratic party, and attempt reorganization upon the new question which the times present. They, too, however, endorse the reconstruction policy of a Republican President, as they understand it.

We, the Union men of Massachusetts, also endorse President Johnson's policy, as we understand it. We voted to elect President Johnson. We know his antecedents. He accepted the platform upon which we helped to place him at Baltimore. He declared over and over again, upon his accession to the chief power, his political convictions, and they were, never-ceasing hostility to rebels and rebellion, and punishment to chief traitors with hanging by the neck [applause]; and we have seen that he has hanged all that have as yet been convicted. [Renewed applause.] We find that he has excepted from all amnesty the property of the principal rebels. He has approved the acts of the rebels in taking and capturing unoccupied lands for the negro and refugee. He has declared that no rebel shall vote in the reconstruction of a State, whatever may have been his constitutional right of voting before the war. He has claimed and exercised the right to say, when in his judgment it shall be for the good of the country, who shall not vote, and this implies the right and power to say who shall vote, when it shall be for the best interests of the whole.

Certainly the President has the same right in the rebel States, under the Constitution, if in his judgment best, to say that black loyal soldiers shall not vote, that the white rebel soldier shall not vote. The right to do both is admitted in the right to do one. All these actions, sayings and doings of the President's reconstruction policy are in direct opposition to the theory that the rebels have forfeited none of their rights under the Constitution, and are consistent with the theory we have adopted that they have forfeited their rights by rebellion, and must, when subdued, take such rights and powers only as the general government, the Executive and Congress, may deem best for the country to give them.

All this, and more, let me remind the "pseudo" Democrats and rebel sympathizers, they sanction when they endorse the reconstruction policy of a Republican President.

While we may differ from President Johnson as to whether the time has arrived in which it is safe to reinvest rebels with political power and allow them to re-enter the Union, we are all to the effect of former Constitutions upon the rights of political rights, yet there is by no means a necessity that this difference should be a disagreement; certainly not until it is seen by results that some vital principle is involved or some detriment to the republic is produced.

We look at the attempt to reconstruct the rebel States, as we believe the President looks upon it, as experimental merely, but an experiment well enough to be tried. The President, upon the cessation of active hostilities, had information that in the Southern States, as he knew the fact to be in Tennessee, (thanks to his patriotic and untiring labors,) there were loyal and true men who had never faltered in their fealty to the Union, and also that there were many truly repentant and converted rebels, who, tired of feeding on the hawks of the prodigal, were desirous of returning to the plenty of their father's house. The President was further informed that such men were in a majority, and were in such temper of mind and train of thought as to be in union with the loyal States; willing to do justice to all men, forget the past, and endeavor to make bright the future, and willing to resume their "proper, practical relations with the other States." [Applause.]

Acting upon a belief in the truth of this information, without withdrawing or in any degree relaxing the military power and government in these States; decree shutting out all apparently unrepentant rebels from participation in the work; in the most liberal spirit of compromise and conciliation, it was offered to these rebellious States that if in good faith they repudiated the confederacy, and its works, and actually abolished slavery by provision of their Constitutions, they should be empowered to organize their State governments, to elect Senators and Representatives to Congress, who would or would not be submitted to secession, according to the spirit exhibited by their constituents, their own loyalty, and as they truly represented a State in which a republican form of government was indeed established.

If the facts upon which it was attempted were reliable, as any man say the experiment was not worth the trial? Indeed, if only to convince all right-minded and loyal men by its want of success even, that every means had been used to bring back the loyal and bring even if truly repentant, useful, if the rebellious States, or either of them, would, by a majority of its voters, put itself in true communion and fellowship with the loyal North, no man would hail the event with truer satisfaction or more fervent delight than the Republicans and loyal men of Massachusetts. [Applause.]

Further, true it is, we believe, that if a failure, no man will be more willing to change that policy, or adapt himself to a new state of facts than President Johnson. We know his patriotism and devotion to the country, and detestation of traitors, treason and rebellion in the past, and we believe in his firmness of convictions and honesty of purpose in the future. [Applause.] But we fear and deplore that the result of this experimental policy is a failure. We know that a majority of the South have for more than a generation been taught by the fireside, in schools, at the hustings, and in the churches, even, hatred and bitterness toward the North, that "Yankee" has for years been a term of derision and opprobrium, and is now contemptuous and derisive than "Abolitionist," that the very considerable party at one time in the South favoring the Union, overborne either by fraud, force or numbers, yielded to the madness of secession, and believing the Union lost and severed forever, because one-third of the inhabitants, always true, always faithful to the Government, fighting, as they are black; but I am sorry to say the adjective of the white blood of their former masters prevents me from saying, "in every instance," as black as they are loyal. [Loud laughter and applause.]

If any one should suggest that we are putting too far the government, to him I say, that we are as ready and anxious to receive back the South into the Union as he can be, provided only that it is a loyal South, ready to aid in bearing the national burdens, paying the national debts and sustaining the national glory, and constituting the nation's justice to all men. Do we not receive the South without these conditions? Nay, more; if still we have for loyal reconstruction, let me point him to the fact that at the South there are six millions of negroes, and that one-third of the inhabitants, always true, always faithful to the Government, fighting, as they are black; but I am sorry to say the adjective of the white blood of their former masters prevents me from saying, "in every instance," as black as they are loyal. [Loud laughter and applause.]

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